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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,737	01/11/2002	Anthony E. Martinez	RSW920010153US1	1564

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EXAMINER	
HONEYCUTT, KRISTINA B	

ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 01/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/044,737	MARTINEZ ET AL.	
	Examiner	Art Unit	
	Kristina B. Honeycutt	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 November 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5 and 7-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5 and 7-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to the amendment filed November 2, 2005.

This action is made Final.

2. Claims 15-17 have been added. Claims 1-5, 7-17 are pending in the case. Claims 1, 2, 13 and 14 are independent claims.

3. The rejections of claims 1-5 and 7-14 under 35 U.S.C. 103(a) as being unpatentable over Malamud et al. (U.S. Pub. No. 20030142123) in view of Matsushita et al. (U.S. Patent 6049340) have been withdrawn as necessitated by the amendment.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 2 and 10-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Malamud et al. (U.S. Pub. No. 20030142123; publication date July 31, 2002; filed January 16, 2003; continuation of application filed January 21, 1999).

Regarding independent claim 1, Malamud discloses a content previewer, comprising:

- a graphic previewer image comprising a virtual sensor portion and a content-previewing portion (p.3, para. 42, 44 – as demonstrated in the cited text, Malamud teaches information pointers that display graphical and/or textual information about objects to which the cursor points);
- means for enabling a user to position the virtual sensor portion of the graphic previewer image over a representation of content to be previewed, such that the representation is at least partially viewable through a center area of the virtual sensor portion (Figures 2Q1, 2Q2, 2Q3; p.3, para. 42, 44; p.6, para. 66-68 – as demonstrated in the figures and cited text, Malamud teaches the cursor pointing to an object and the information associated with the preview being displayed in the center area of the information pointer); and
- means for rendering, within the content-previewing portion, a preview of the content, responsive to determining that the virtual sensor portion has been positioned over the representation of the content (p.3, para. 42, 44 – as demonstrated in the cited text, Malamud teaches rendering and displaying graphical and/or textual information about objects to which the cursor points).

Regarding independent claim 2, Malamud discloses a method of previewing content in a computing system, comprising the steps of:

- providing a previewer graphic for dragging over a representation of content to be previewed, the previewer graphic comprising a virtual sensor portion and a content-previewing portion, whereby the representation is at least partially viewable though a center area of the virtual sensor portion when the virtual sensor portion is dragged over the representation (Figures 2Q1, 2Q2, 2Q3; p.3, para. 42, 44; p.6, para. 66-68 – as demonstrated in the figures and cited text, Malamud teaches dragging the cursor to point to an object and the information associated with the preview being displayed in the center area of the information pointer);
- rendering, within the content-previewing portion, a preview of the content to be previewed, responsive to detecting that the virtual sensor portion has been dragged over the representation (p.3, para. 44 – as demonstrated in the cited text, Malamud teaches rendering and displaying graphical and/or textual information about objects to which the cursor points).

Regarding dependent claim 10, Malamud discloses the method according to claim 2, wherein:

- the previewer graphic replaces a cursor of a visual display of the computing system (p.3, para. 42 – as demonstrated in the cited text, the information pointer replaces the cursor).

Regarding dependent claim 11, Malamud discloses the method according to claim 2, wherein:

- the rendered preview uses cached information associated with the content to be previewed (p.6, para. 70 – as demonstrated in the cited text, stored information is used with the preview).

Regarding dependent claim 12, Malamud discloses the method according to claim 2, wherein:

- the representation is a file icon and the content to be previewed is a stored file associated with the file icon (p.6, para. 68; Figure 2Q3 – as demonstrated in the figure and cited text, a file associated with a file icon is previewed).

Regarding independent claim 13, Malamud discloses a system for previewing content in a computing system, comprising:

- means for providing a previewer graphic for dragging over a representation of content to be previewed, the previewer graphic comprising a virtual sensor portion and a content-previewing portion, whereby the representation is at least partially viewable through a center area of the virtual sensor portion when the virtual sensor portion is dragged over the representation (Figures 2Q1, 2Q2, 2Q3; p.3, para. 42, 44; p.6, para. 66-68 – as demonstrated in the figures and cited text, Malamud teaches information pointers that display graphical and/or

textual information about objects to which the cursor points in the center area of the information pointer);

- means for detecting that the virtual sensor portion has been dragged over the representation (p.3, para. 44 – as demonstrated in the cited text, Malamud teaches a pictorial representation of the contents of the object being output when the tip of a cursor arrow obscures a portion of the object); and
- means for rendering, within the content-previewing portion, a preview of the content to be previewed, responsive to the means for detecting (p.3, para. 42, 44 – as demonstrated in the cited text, Malamud teaches a pictorial representation of the contents of the object being output when the tip of a cursor arrow obscures a portion of the object).

Regarding independent claim 14, the claim reflects a computer program product comprising computer-readable program code for performing the system of claim 13 and is rejected along the same rationale.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 3, 5, 7-9, 15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Malamud in view of Petropoulos et al. (U.S. Pub. No 20030146939; publication date August 7, 2003; filed September 24, 2001).

Regarding dependent claims 3, 15 and 17, Malamud does not disclose the representation is a hyperlink and the content to be previewed is a Web page accessible using the hyperlink. Petropoulos teaches a hyperlink as a representation and previewing a Web page when a link is accessed (Figure 1; p.2, para. 23). It would have been obvious to one of ordinary skill in the art, having the teachings of Malamud and Petropoulos before him at the time the invention was made, to modify previewing content as taught by Malamud to include previewing Web pages and hyperlinks as representations as taught by Petropoulos, because opening each Web page to determine if the contained material is relevant is unwieldy and time consuming, as taught by Petropoulos (p.1, para. 7,8), as is opening files and documents, as taught by Malamud. It would have been advantageous to one of ordinary skill to utilize such combination because allowing the user to preview a Web page before opening the page would save time and efficiently utilize resources since irrelevant Web pages would not be opened and browsed.

Regarding dependent claim 5, Malamud does not disclose the rendered preview comprises a thumbnail version of the Web page. Petropoulos teaches a thumbnail

version of the Web page as the rendered preview (Figure 1; p.1, para. 9). It would have been obvious to one of ordinary skill in the art, having the teachings of Malamud and Petropoulos before him at the time the invention was made, to modify previewing content as taught by Malamud to include previewing Web pages as thumbnails as taught by Petropoulos, because opening each Web page to determine if the contained material is relevant is unwieldy and time consuming, as taught by Petropoulos (p.1, para. 7,8) as is opening files and documents, as taught by Malamud. It would have been advantageous to one of ordinary skill to utilize such combination because allowing the user to preview a thumbnail version of the Web page before opening the page would save time and efficiently utilize resources since irrelevant Web pages would not be opened and browsed.

Regarding dependent claim 7, Malamud does not disclose navigating to the Web page, responsive to a user's request and displaying the Web page, responsive to the navigating. Petropoulos teaches navigating to the Web page responsive to a request and displaying the Web page (p.4, para. 42). It would have been obvious to one of ordinary skill in the art, having the teachings of Malamud and Petropoulos before him at the time the invention was made, to modify previewing content as taught by Malamud to include navigating to and displaying a Web page as taught by Petropoulos, because displaying the Web page would allow the user to view the entire Web page at full size per the user's request. It would have been advantageous to one of ordinary skill to

utilize such combination because allowing the user navigate to the Web page if he/she desired to would present the page at full size for browsing, printing, etc.

Regarding dependent claim 8, Malamud does not disclose the user's request is signaled by clicking within the previewer graphic. Petropoulos teaches requesting by clicking (p.4, para. 42). It would have been obvious to one of ordinary skill in the art, having the teachings of Malamud and Petropoulos before him at the time the invention was made, to modify previewing content as taught by Malamud to include signaling a request by clicking as taught by Petropoulos, because displaying the Web page would allow the user to view the entire Web page at full size per the user's request and clicking to signal a request would allow users to easily access the page. It would have been advantageous to one of ordinary skill to utilize such combination because allowing the user to navigate to the Web page if he/she desired would present the page at full size for browsing, printing, etc.

Regarding dependent claim 9, Malamud does not disclose the previewer graphic remains positioned over the displayed Web page. Petropoulos teaches the previewer graphic positioned over the displayed Web page (p.4, para. 42). It would have been obvious to one of ordinary skill in the art, having the teachings of Malamud and Petropoulos before him at the time the invention was made, to modify a previewer graphic as taught by Malamud to include the previewer graphic positioned over the displayed page as taught by Petropoulos, because positioning the previewer graphic

over the displayed page would allow the user to view the preview alongside the associated information on the displayed page that caused the preview. It would have been advantageous to one of ordinary skill to utilize such combination because viewing the preview with the displayed page would allow the user to compare the preview to the page in order to determine if further navigation to the full version of the page is necessary.

6. Claims 4 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Malamud in view of Krause (U.S. Patent 6160554; date of patent December 12, 2000; filed March 19, 1998).

Regarding dependent claims 4 and 16, Malamud discloses the content to be previewed is a stored file (p.6, para. 68).

Malamud does not disclose the representation is a file name and the content is identified using the file name. Krause teaches the file name as the representation and identification (col. 1, lines 52-65). It would have been obvious to one of ordinary skill in the art, having the teachings of Malamud and Krause before him at the time the invention was made, to modify previewing a stored file as taught by Malamud to include the a file name as the representation as taught by Krause, because Krause teaches a representation as a file name or an icon (col. 1, lines 56-61) and Malamud teaches a representation as an icon (p.6, para. 68; Figure 2Q3) so a file could be represented as either a name or an icon. It would have been advantageous to one of ordinary skill to

utilize such combination because previewing stored files based on file names would allow the method to be used by more users with different storing preferences.

Response to Arguments

7. Applicant's arguments filed November 2, 2005 with respect to amended claims 1-5 and 7-14 and new claims 15-17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Loop menu navigation apparatus and method (U.S. Pub. No. 20030043206),
- System and method for previewing hyperlinks with 'flashback' images (U.S. Pub. No. 20020129114),
- Method and system for accessing information (U.S. Pub. No. 20010038395),
- System, method and article of manufacture for a visual self calculating order system over the world wide web (U.S. Pub. No. 20020042750), and
- Method for receiving and managing electronic files and file-managing device used therefor (U.S. Pub. No. 20010028363).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristina B. Honeycutt whose telephone number is 571-272-4123. The examiner can normally be reached on 8:00 am - 5:00 pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KBH

CESAR PAULA
PRIMARY EXAMINER